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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,045	09/24/2003	James R. Hawkinson	165.001US01	5025

27073 7590 06/23/2005  
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EXAMINER

DUNWOODY, AARON M

ART UNIT PAPER NUMBER

3679

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/670,045

Applicant(s)

HAWKINSON ET AL.

Examiner

Aaron M. Dunwoody

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Nowesco, Inc document.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/26/2005 has been entered.

### ***Information Disclosure Statement***

The Examiner has not considered the Norwesco, Inc. document, because the Examiner is unable to see the details of the document. A copy is being returned with this office action for the Applicant's review.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 3-9 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 5971444, Hawkins.

In regards to claim 1, Hawkins discloses a tank fitting comprising:

a coupling (12) comprising:

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a flange (20) disposed between a first end and a second end of the coupling;

external threads (26) disposed between the flange and the first end; and

a male-end region (22) adjacent the second end adapted (capable of) to be received within a fitting or a pipe for bonding thereto;

a gasket (16, 18) disposed on the coupling between the flange and the first end of the coupling so as to abut the flange; and

a nut (14) threadably attachable to the external threads of the coupling.

In regards to claim 3, Hawkins discloses the coupling being a male/female coupling or a male/male coupling.

In regards to claim 4, Hawkins discloses the coupling further comprising a female-end region adjacent the first end.

In regards to claim 5, Hawkins discloses the female-end region comprising first and second sockets respectively having different internal diameters.

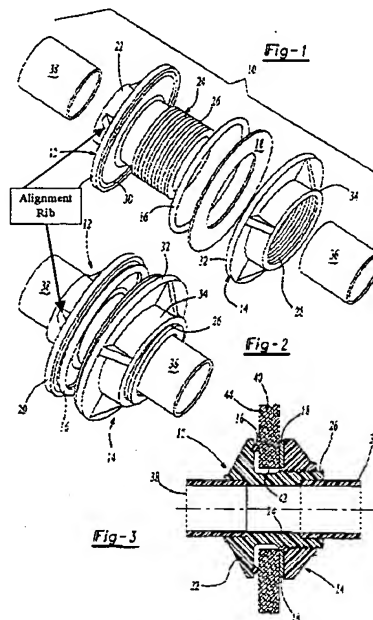
In regards to claim 6, Hawkins discloses the coupling further comprising a stepped internal bore having first, second, and third diameters.

In regards to claim 7, Hawkins discloses the first and second diameters respectively defining first and second sockets of a female-end region adjacent the first end and the third diameter is an internal diameter of a male-end region adjacent the second end.

In regards to claim 8, Hawkins discloses the nut further comprising an annular groove (30).

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In regards to claim 9, Hawkins discloses an alignment rib (see Figures 1 and 2 below) disposed on the coupling between the flange and the second end.



### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 10-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawkins in view of US patent 2554622, Jones.

In regards to claim 2, Hawkins discloses the claimed invention except for the gasket having a hole and wherein the flange has a stud, the stud passing completely through the hole of the gasket. In Figure 5, Jones teaches a gasket (71) having a hole and wherein a flange (73) has a stud (74), the stud passing completely through the hole

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of the gasket to prevent the rotation of the gasket (col. 5, lines 31-41). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a gasket with a hole and wherein a flange has a stud, the stud passing completely through the hole of the gasket to prevent the rotation of the gasket, as taught by Jones.

In regards to claim 10, Hawkins in view of Jones disclose a tank fitting comprising:

a longitudinal stepped internal bore passing through first and second ends of the tank fitting, the internal bore having first and second diameters respectively defining first and second sockets of a female-end region of the tank fitting adjacent the first end, the internal bore further having a third diameter that forms an internal diameter of a male-end region of the tank fitting adjacent the second end, the male-end region adapted to be received within a fitting or a pipe for bonding thereto;

a flange disposed between the first and second ends;

external threads disposed between the flange and the first end;

a gasket disposed between the flange and the first end so as to abut the flange;

a stud protruding from a face of the flange toward the first end and passing completely through the gasket; and

a nut threadably attachable to the external threads.

In regards to claim 11, Hawkins in view of Jones disclose the nut further comprising an annular groove that aligns with the stud when the nut is threadably attached to the external threads.

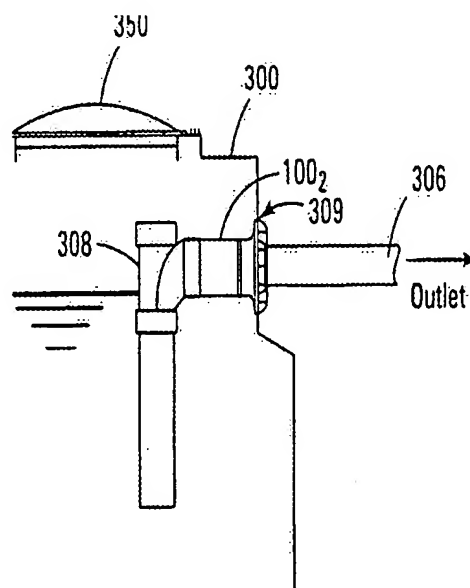
In regards to claim 12, Hawkins in view of Jones disclose an alignment rib disposed on an exterior of tank fitting between the flange and the second end.

In regards to claim 13, Hawkins in view of Jones disclose the alignment rib being located 180 degrees around the tank fitting from the stud.

In regards to claims 14-27, Hawkins in view of Jones disclose a method of attaching a tank fitting to a tank and a method of connecting a pipe fitting.

### ***Response to Arguments***

Applicant's arguments filed 1/26/2005 have been fully considered but they are not persuasive. The Applicant argues that Hawkins '444 does not disclose the male-end region adapted to be received within a fitting or a pipe for bonding thereto. The Examiner disagrees. The Applicant's Figure 3 below illustrates the male-end region adapted to be received within a fitting or a pipe for bonding thereto, in the same manner that Hawkins '444 discloses the male-end region adapted to be received within a fitting or a pipe for bonding thereto. The only difference between the Applicant's male-end and Hawkins '444 male-end is their respective lengths. Therefore, Hawkins '444 meets the claim limitation.



***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M. Dunwoody whose telephone number is 571-272-7080. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Aaron M Dunwoody  
Primary Examiner  
Art Unit 3679

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